

Message Text

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61

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FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC 2218

INFO AMEMBASSY BRASILIA

UNCLAS RIO DE JANEIRO 0650

E. O. 11652: N/A

TAGS: BEXP, BR

SUBJ: COMPUTER SOFTWARE SALES IN BRAZIL

REF.: STATE 023273

1. ALTHOUGH BRAZILIAN COMPUTER SOFTWARE MARKET RATED GOOD BY INDUSTRY AND GOVERNMENT SOURCES, MARKET FOR BUSINESS APPLICATIONS OF U.S. SOFTWARE NOT NOW CONSIDERED VERY LARGE DUE TO DIFFERING LEGAL AND ACCOUNTING REGULATIONS. NEVERTHELESS, SEVERAL AMERICAN FIRMS ARE SUCCEEDING IN THIS AREA. MARKETS FOR SCIENTIFIC AND INDUSTRIAL CONTROL SYSTEMS AND FOR C.P.U. OR "HOUSEKEEPING" SOFTWARE IS RATED EXCELLENT.

2. IN ANSWER TO REFTEL PARA. 2 (1), THERE IS A DEFINITE DESIRE TO IMPORT TECHNOLOGICAL KNOW-HOW IN THE FORM OF COMPUTER SOFTWARE.

3. COMPUTER SOFTWARE IS SOLD AND PROTECTED IN BRAZIL EXACTLY AS IN U.S. LOCAL TRADE GROUP IS LOBBYING FOR LEGAL DEFINITION OF SOFTWARE AND FOR IMPROVED LEGAL PROTECTION, BUT ABSENCE OF SUCH A DEFINITION HAS NOT BEEN A MAJOR PROBLEM IN PAST.

4. IN REFERENCE TO PARA 1. OF REFTEL, U.S. FIRM WILL PROBABLY NOT BE ABLE TO SELL SOFTWARE WITHOUT ASSUMPTION OF SERVICE AND MAINTENANCE RESPONSIBILITIES. IN ADDITION, TRADE SOURCES
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REPORT INPI IS NOT ALLOWING EXCEPTIONS TO ROYALTY REMITTANCE

RULES AND IS NOT LIKELY TO DO SO. SEVERAL AMERICAN FIRMS
HAVE WORKED OUT COMPENSATION PROGRAMS FOR THEIR TECHNOLOGY
WITHOUT VIOLATING BRAZILIAN RULES. EXACT NATURE OF COMPENSATION
DEPENDS ON LEGAL STRUCTURE ESTABLISHED BY U.S. FIRM IN
BRAZIL. INPI OFFICER RESPONSIBLE FOR COMPUTER SOFTWARE NOT
NOW AVAILABLE, BUT CONGEN WILL CONTACT HIM ASAP.
MILLER

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